



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

PLANNING DEPARTMENT HEARING

*Promoting the wise use of land
Helping build great communities*

MEETING DATE May 19, 2006		CONTACT/PHONE Stephanie Fuhs (805) 781-5721		APPLICANT Villanueva		FILE NO. COAL 05-0404 SUB2005-00153	
SUBJECT Hearing to consider a request by Lauro and Stacey Villanueva/Cynthia Stuart for a Lot Line Adjustment (COAL 05-0404) to adjust the lot lines between two parcels of 1.14 and 1.36 acres each. The adjustment will result in two parcels of 1.37 and 1.13 acres each. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category and is located on the southwestern corner of Camino Caballo and Camino Codorniz (at 1020 Camino Cordorniz), in the community of Nipomo. The site is in the South County (Inland) planning area.							
RECOMMENDED ACTION Approve Lot Line Adjustment COAL 05-0404 based on the findings listed in Exhibit A and the conditions listed in Exhibit B							
ENVIRONMENTAL DETERMINATION A Class Five Categorical Exemption was issued on April 12, 2006 (ED05-403).							
LAND USE CATEGORY Residential Suburban		COMBINING DESIGNATION None		ASSESSOR PARCEL NUMBER 091-430-053, 091-430-054		SUPERVISOR DISTRICT(S) 4	
PLANNING AREA STANDARDS: None applicable							
LAND USE ORDINANCE STANDARDS: 22.10.140 - Setbacks							
EXISTING USES: Three single family residences (two primary dwellings and one secondary dwelling)							
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Suburban/Residences <i>East:</i> Residential Suburban/Residences <i>South:</i> Residential Suburban/Residences <i>West:</i> Residential Suburban/Residences							
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Nipomo Community Advisory Council, Public Works, Environmental Health							
TOPOGRAPHY: Mostly level				VEGETATION: Grasses, forbs, ornamentals			
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: CDF				ACCEPTANCE DATE: March 7, 2006			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242							

ORDINANCE COMPLIANCE:

The applicant is proposing to adjust the lot lines between two legal parcels as follows:

EXISTING LOT SIZES (ACRES)	ADJUSTED PARCEL SIZES (ACRES)
1.14 acres	1.23 acres
1.36 acres	1.13 acres

Section 21.02.030 of the Real Property Division Ordinance states that a lot line adjustment shall not be approved or conditionally approved unless the new parcels resulting from the adjustment will maintain a position which is better than, or equal to, the existing situation relative to the county's zoning and building ordinances.

The adjustment will result in the reconfiguration of the two parcels to conform to the minimum parcel size for the land use category and to configure the parcels so that the existing secondary dwelling is located on the correct parcel of ownership.

SB 497

As of January 1, 2002, lot line adjustments are limited to four or fewer existing adjoining parcels. In addition, the new parcels must comply not only with zoning and building regulations, but also with the general plan and any applicable coastal plan. The County's local ordinance allows a determination to be made that the proposed situation is equal to or better than the existing situation. Because the parcels as adjusted are consistent with the minimum parcel sizes as set forth in the General Plan, staff has concluded that the adjustment is consistent with both state and local law.

STAFF COMMENTS:

Section 22.10.140 of the Land Use Ordinance requires 30 foot side and rear setbacks from a property line on parcels over an acre in size. The proposed lot line for Parcel 1 is located 15 feet, 6 inches from the existing secondary dwelling on the site which is below the 30 foot minimum required. This setback can be adjusted with approval from CDF, but cannot be less than 15 feet. The project has been conditioned to receive a fire safety clearance letter from CDF approving the setback adjustment prior to recordation of the final map or certificates of compliance effectuating the lot line adjustment.

LEGAL LOT STATUS:

The two existing lots were legally created a recorded map (Parcel 1 and 2 of Parcel Map CO 88-244) at a time when that was a legal method of creating lots.

Staff report prepared by Stephanie Fuhs
and reviewed by Kami Griffin, Supervising Planner

FINDINGS - EXHIBIT A

- A. The proposed Lot Line Adjustment is consistent with the provisions of Section 21.02.030 of the Real Property Division Ordinance because both of the adjusted parcels will meet minimum parcel size criteria for the Residential Suburban land use category and meet design criteria for parcels as well.
- B. The proposal will have no adverse effect on adjoining properties, roadways, public improvements, or utilities.
- C. Compliance with the attached conditions will bring the proposed adjustment into conformance with the Subdivision Map Act and Section 21.02.030 of the Real Property Division Ordinance.
- D. The project qualifies for a Categorical Exemption (Class Five) pursuant to CEQA Guidelines Section 15303 because the project is a minor adjustment of land under twenty percent slope and is not located within an area containing significant fish or wildlife habitat.

CONDITIONS - EXHIBIT B

1. This adjustment may be effectuated by recordation of a parcel map or recordation of certificates of compliance. If a map is filed, it shall show:
 - a. All public utility easements.
 - b. All approved street names.
2. Any private easements described in the title report must be shown on the map, with recording data.
3. When the map is submitted for checking, or when the certificate of compliance is filed for review, provide a preliminary title report to the County Engineer or the Planning Director for review.
4. All conditions of approval herein specified are to be complied with prior to the recordation of the map or certificates of compliance which effectuate the adjustment. Recordation of a map is at the option of the applicant. However, if a map is not filed, recordation of a certificate of compliance is mandatory.
5. The map or certificates of compliance shall be filed with the County Recorder prior to transfer of the adjusted portions of the property or the conveyance of the new parcels.
6. In order to consummate the adjustment of the lot lines to the new configuration when there is multiple ownerships involved, it is required that the parties involved quitclaim their interest in one another new parcels. Any deeds of trust involving the parcels must also be adjusted by recording new trust deeds concurrently with the map or certificates of compliance.
7. If the lot line adjustment is finalized using certificates of compliance, prior to final approval the applicant shall prepay all current and delinquent real property taxes and assessments collected as real property taxes when due prior to final approval.
8. The lot line adjustment will expire two years (24 months) from the date of the approval, unless the map or certificates of compliance effectuating the adjustment is recorded first. Adjustments may be granted a single one year extension of time. The applicant must submit a written request with appropriate fees to the Planning Department prior to the expiration date.
9. All timeframes on completion of lot line adjustments are measured from the date the Review Authority approves the lot line adjustment map, not from any date of possible reconsideration action
10. Prior to recordation of the final parcel map or certificates of compliance, the applicant shall obtain a fire safety clearance letter from CDF stating that a 15 foot, six inch setback for the existing secondary dwelling on proposed Parcel 1 is adequate for fire response purposes.



SEF
JAN 13 2006
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

to Co Planning

DATE: 1/12/06

TO: PW

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00153 Applicant: Villanueva
Lot line adjustment -> COAL 05-0404
located on 2.5 acres on Camino Codorniz, Nipomo
APN: 091-430-054
Return this letter with your comments attached no later than: 1/27/06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

No Comment

Date JAN 25-2006

Name DAN MANCINI

Phone 781-5275

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us

FAX: (805) 781-1242

WEBSITE: <http://www.sloplanning.org>

GENERAL APPLICATION

San Luis Obispo County Department of Planning

SUB2005-00153

Lot Line Adjustment

LOT LINE ADJUSTMENT

VILLANUEVA LAUI

SC/ NIPO

APPLICATION TYPE CHECK ALL THAT APPLY

- ☐ Public Lot ☐ Voluntary Merger ☐ Certificate of Compliance
☐ Parcel Map ☐ Tract Map ☐ Receiving Site
☐ Condominium (new or conversion) ☐ Road Abandonment
☐ Reversion to Acreage ☐ Reconsideration

- ☒ Lot Line Adjustment
☐ Sending Site
☐ Road Name

APPLICANT INFORMATION Check box for contact person assigned to this project

☐ Landowner Name Laura & Stacey Villanueva Daytime Phone 895-1011
Mailing Address 1070 Camino Codorniz, Nipomo Zip 93444
Email Address: _____

☐ Applicant Name Same Daytime Phone _____
Mailing Address _____ Zip _____
Email Address: _____

☐ Agent Name _____ Daytime Phone _____
Mailing Address _____ Zip _____
Email Address: _____

PROPERTY INFORMATION

Total Size of Site: 2.5 AC Assessor Parcel Number(s): 091-430-054 (1.36 AC)

Legal Description: Parcel 2, 1088-244

Address of the project (if known): 1070 Camino Codorniz, Nipomo

Directions to the site - describe first with name of road providing primary access to the site, then nearest roads, landmarks, etc.: from pomeroy Rd., West on Camino Codorniz
caballo to Camino Codorniz

Describe current uses, existing structures, and other improvements and vegetation on the property:
The property is developed as a residential rural use.

PROPOSED PROJECT

Describe the proposed project (inc. size of all proposed parcels): This is a lot line adjustment
to correct a residential encroachment.

LEGAL DECLARATION

I, the owner of record of this property have completed this form accurately and declare that all statement here are true. I do hereby grant official representatives of the county authorization to inspect the subject property.

Property owner signature [Signature] Date 1/11/05

FOR STAFF USE ONLY

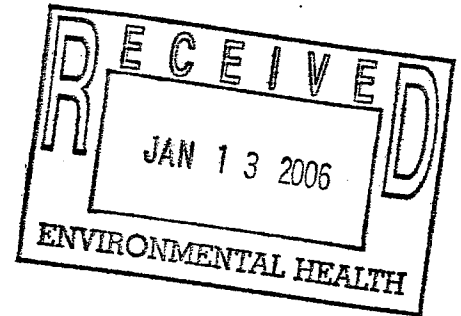
Minimum Parcel Size: _____ ☐ sq. feet ☐ acres ☐ by PAS? ☐ by Ordinance?



SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE: 1/12/06

TO: Env. Health

FROM: ☒ - South County Team ☐ - North County Team ☐ - Coastal Team

PROJECT DESCRIPTION: File Number: SUB2005-00153 Applicant: Villanueva
Lot line adjustment -> COAL 05-0404
located on 2.5 acres on Camino Codorniz, Nipomo
APN: 091-430-054
Return this letter with your comments attached no later than: 1/27/06

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- ☐ YES (Please go on to PART II.)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

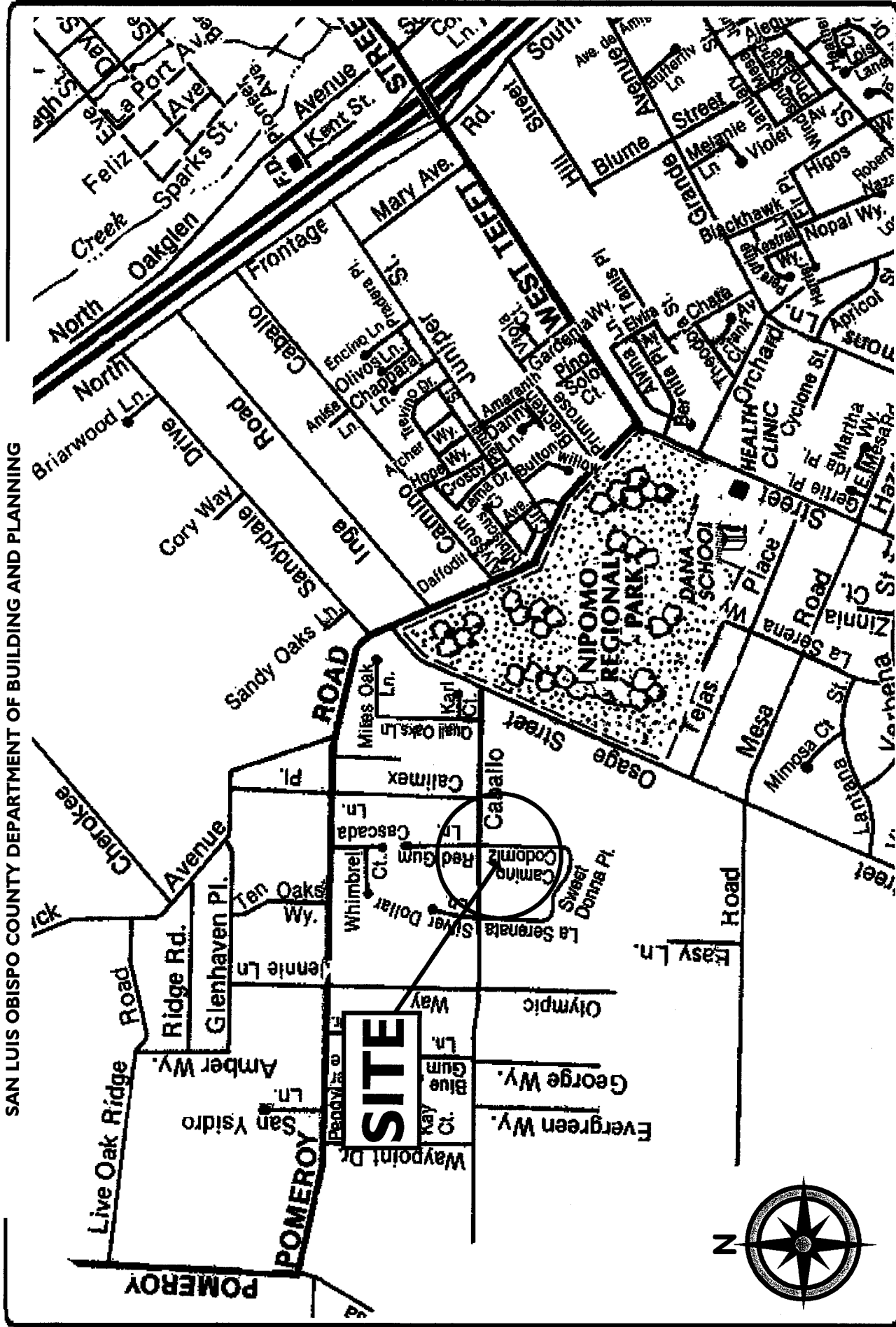
- ☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
☐ NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

Applicant shall provide a full size exhibit showing the exact location of the septic systems on-site. Especially the southern most house on proposed parcel 1, prior to hearing.
1/26/06 L. Salas 781-5551
Date Name Phone



PROJECT

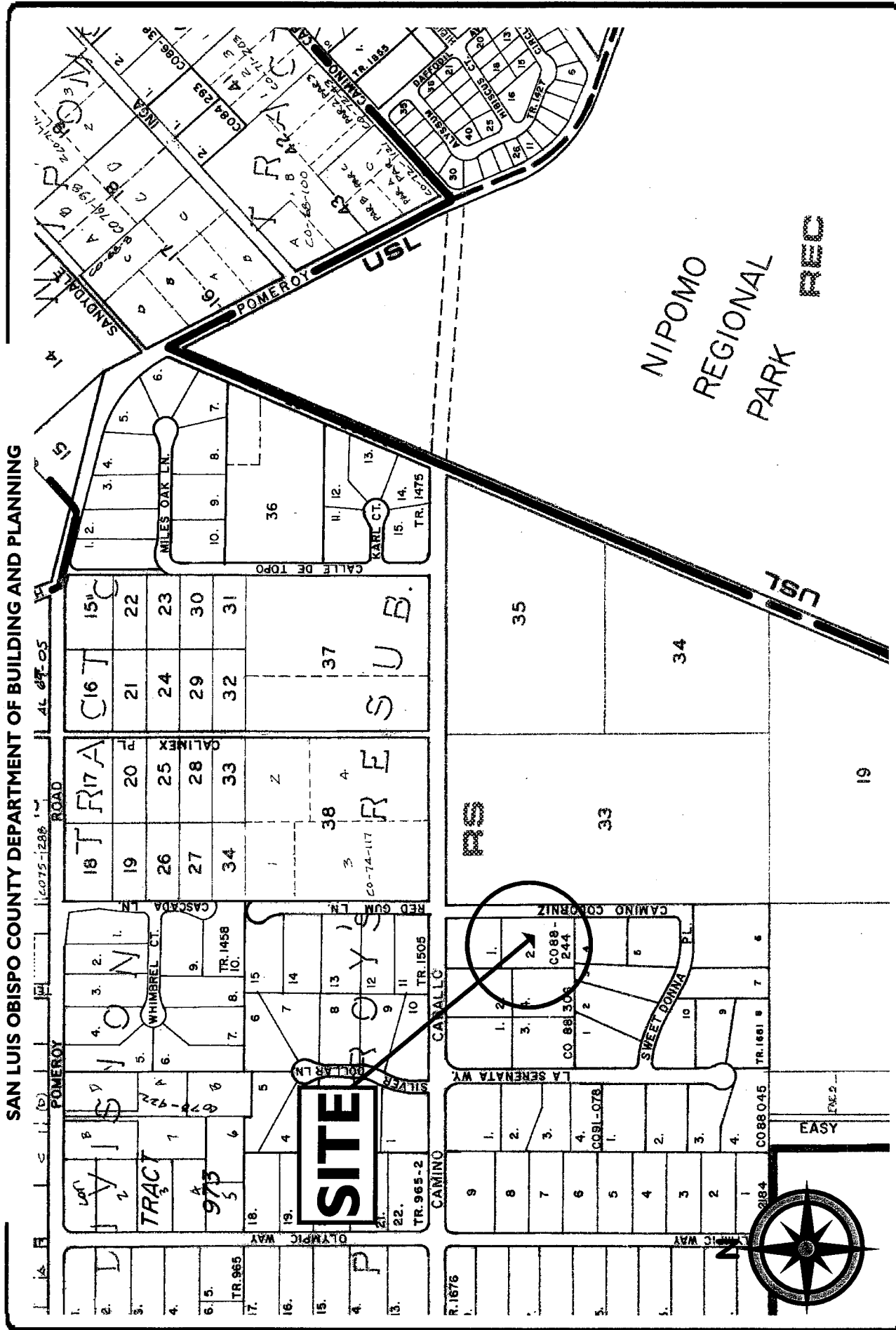
Lot Line Adjustment COAL 05-0404
Villanueva SUB2005-00153

EXHIBIT



Nipomo Vicinity

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



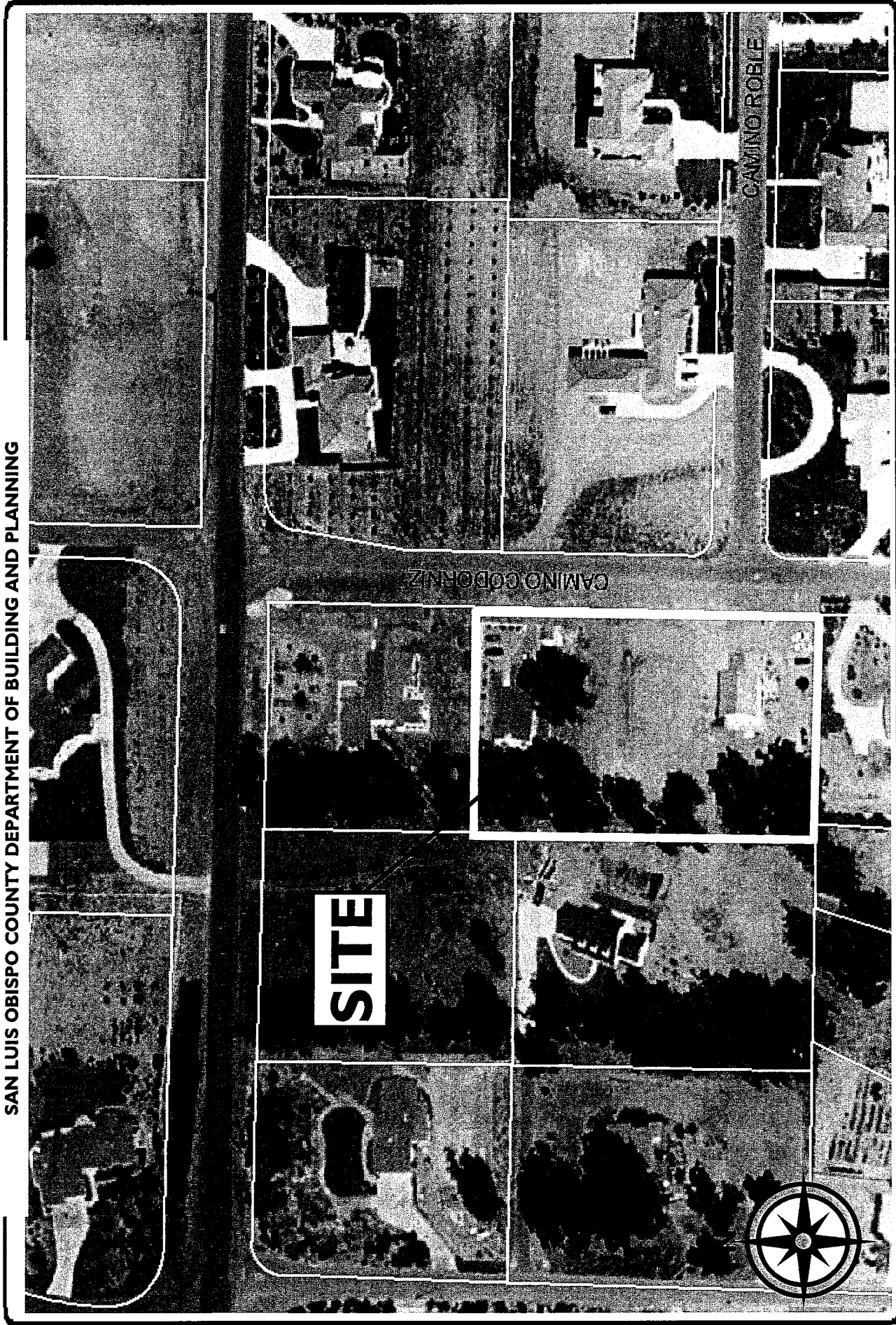
PROJECT

Lot Line Adjustment COAL 05-0404
Villanueva SUB2005-00153

EXHIBIT

Land Use Category





PROJECT

Lot Line Adjustment COAL 05-0404
Villanueva SUB2005-00153



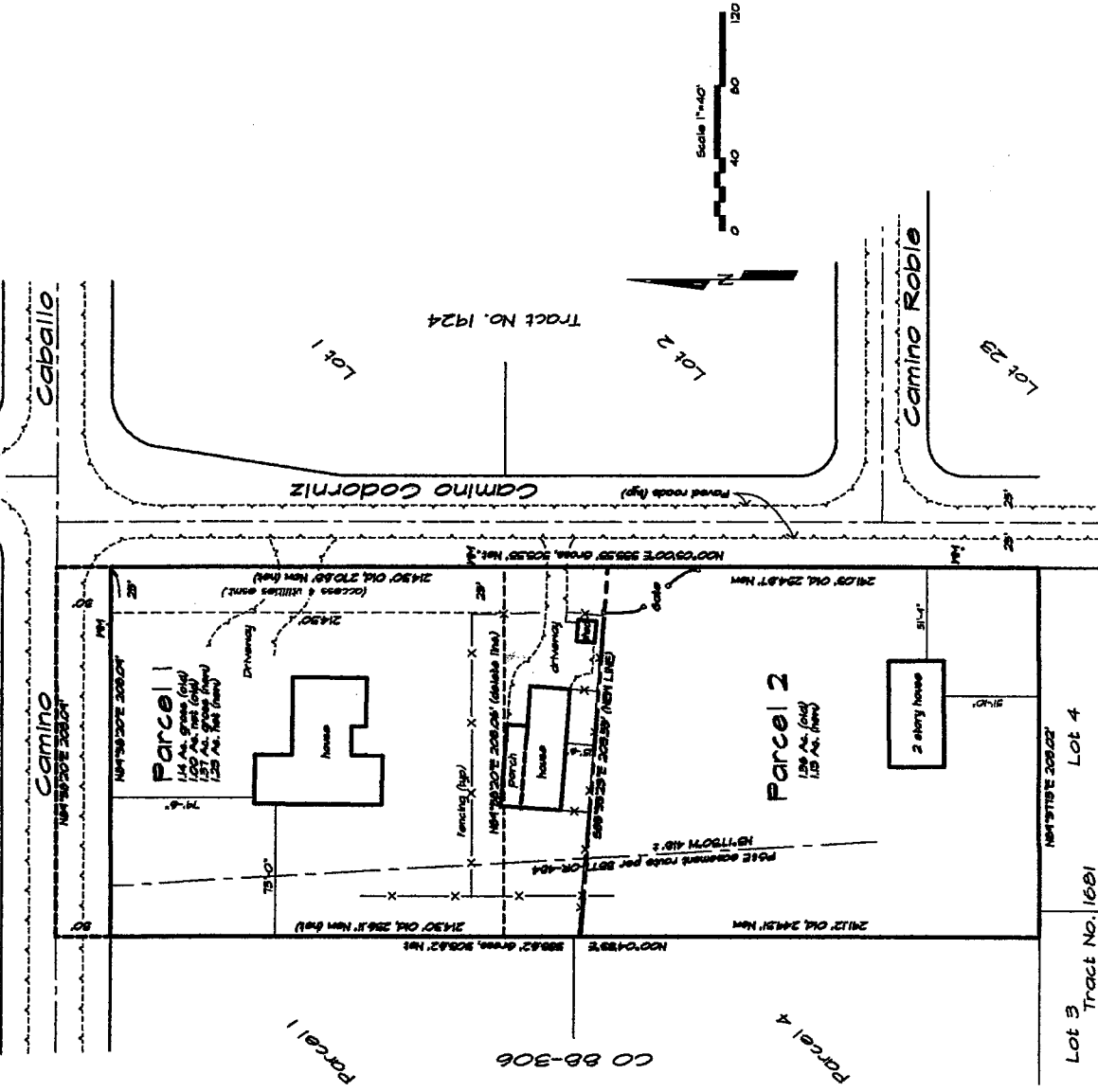
EXHIBIT

Aerial Photo

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING

Tract No. 1505, Lot 11

CO 74-117, Parcel 3



EXHIBIT

Site Plan

PROJECT

Lot Line Adjustment COAL 05-0404
Villanueva SUB2005-00153